

REMARKS

In the Office Action mailed July 20, 2005, claims 1-4, 7, 25, and 26 were rejected under 35 U.S.C. § 102 over U.S. Patent Application Publication No. 2002/0184316 (Thomas); and claims 5-6 were rejected under § 103 over Thomas in view of U.S. Patent Application Publication 2002/0037723 (Roach).¹

Claims 8-24 and 27-29 have been cancelled, without prejudice to filing these claims in a divisional application.

It is respectfully submitted that claim 1 is not anticipated by Thomas. Claim 1 recites sending and receiving messages by the first terminal to cause creation of a path through a firewall and a network address translator, and repeatedly sending keep-alive messages to *maintain* the path through the firewall and network address translator. Note that an ordinary meaning of the term “maintain” is “to keep in an existing state.” See Merriam-Webster Online Dictionary, definition for “maintain” (attached).² Thomas clearly does not cause a path through a firewall and network address translator to be *maintained* by the periodic sending of keep-alive messages. In Thomas, a MAPI (Messaging Application Programming Interface) client repeatedly *initiates* communications sessions between the MAPI client and an MAPI server through a gateway 18. See, e.g., Thomas, ¶¶ [0039], [0049], [0051], [0056]. The repeated *initiations* of communications sessions is performed at a periodic interval, such as every 30 seconds, every minute, five minutes, ten minutes, and so forth. Thomas, ¶ [0039]. Initiation of a communications session is quite different from maintaining a path. An ordinary meaning of the term “initiate” is “to cause or facilitate the beginning of” See Merriam-Webster Online Dictionary, definition for “initiate” (attached).

Thus, what is contemplated by Thomas is the repeated initiations (or beginnings) of separate communications sessions to enable the MAPI client to receive events from the MAPI server, with the events including electronic messages, calendar items, task items, information about electronic mail, calendar, task items. See Thomas, ¶ [0018]. In contrast, claim 1 recites

¹ It is noted that only claims 5 and 6 were rejected as obvious over Thomas and Roach (not claims 4-6 as indicated in the introductory paragraph on page 5 of the Office Action).

² It is not Applicant's intention to limit the definition of “maintain” to this definition provided by the Merriam-Webster Online Dictionary. In fact, it is Applicant's intention that the term “maintain” should cover all applicable ordinary definitions.

sending the keep-alive messages to *maintain* (e.g., keep the existing state of) a path through the firewall and network address translator.

In view of the foregoing, it is respectfully submitted that Thomas clearly does not anticipate claim 1. Thomas also does not anticipate independent claim 25, which recites a controller to repeatedly send keep-alive messages to *maintain* the path through the firewall and network address.

Dependent claims, including newly added dependent claims 30-39, are allowable for at least the same reasons as corresponding independent claims. Also, in view of the allowability of base claims 1 and 25 over Thomas, it is respectfully submitted that claims 5 and 6 are non-obvious over Thomas and Roach.

Moreover, there existed no motivation or suggestion to combine the teachings of Thomas and Roach to achieve the invention of claim 5 or 6. The mechanism described in Thomas relates to the initiation of communications sessions by an MAPI client with an MAPI server to enable the MAPI client to receive electronic mail, calendar items, and task items from the MAPI server. There is absolutely no suggestion whatsoever within Thomas that the concerns associated with MAPI clients and servers are applicable to other types of communications involving other protocols, such as the Session Initiation Protocol. Roach also does not provide any suggestion that the SIP REGISTER message described in Roach is applicable to an MAPI environment, such as that described in Thomas. Therefore, the Office Action has failed to establish that there existed any motivation or suggestion to combine the teachings of Thomas and Roach. Therefore, the *prima facie* case of obviousness is defective for this additional reason.

Appln. Serial No. 09/881,594
Amendment Dated October 19, 2005
Reply to Office Action Mailed July 20, 2005

In view of the foregoing, allowance of all claims is respectfully requested. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 20-1504 (NRT.0098US).

Respectfully submitted,

Date: _____

10-19-2005



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Thesaurus

One entry found for **maintain**.

Main Entry: main-tain

Pronunciation: mAn-'tAn, mAn-

Function: *transitive verb*

Etymology: Middle English *mainteinen*, from Old French *maintenir*, from Medieval Latin *manutenĕre*, from Latin *manu tenĕre* to hold in the hand

1 : to keep in an existing state (as of repair, efficiency, or validity) : preserve from failure or decline <*maintain machinery*>

2 : to sustain against opposition or danger : uphold and defend <*maintain a position*>

3 : to continue or persevere in : CARRY ON, KEEP UP <*couldn't maintain his composure*>

4 a : to support or provide for <*has a family to maintain*>

b : SUSTAIN <*enough food to maintain life*>

5 : to affirm in or as if in argument : ASSERT <*maintained that the earth is flat*>

- **main-tain-abil-i-ty** /-'tAn-n&- 'bi-l&-t&-/ *noun*

- **main-tain-able** /-'tAn-n&-b&l/ *adjective*

- **main-tain-er** *noun*

synonyms MAINTAIN, ASSERT, DEFEND, VINDICATE, JUSTIFY mean to uphold as true, right, just, or reasonable. MAINTAIN stresses firmness of conviction <*steadfastly maintained his innocence*>. ASSERT suggests determination to make others accept one's claim <*asserted her rights*>. DEFEND implies maintaining in the face of attack or criticism <*defended his voting record*>. VINDICATE implies successfully defending <*his success vindicated our faith in him*>. JUSTIFY implies showing to be true, just, or valid by appeal to a standard or to precedent <*the action was used to justify military intervention*>.

For **More Information on "maintain"** go to [Britannica.com](http://www.britannica.com)

Merriam-Webster

- ☒ Dictionary
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initiate[1,transitive verb]
initiate[2,adjective]
initiate[3,noun]

Go

Main Entry: **¹ini-ti-ate** **ⓘ**

Pronunciation: i-'ni-shē-'At

Function: *transitive verb*

Inflected Form(s): -at-ed; -at-ing

Etymology: Late Latin *initiatu*s, past participle of *initiare*, from Latin, to induct, from *initium*

1 : to cause or facilitate the beginning of : set going <initiate a program of reform> <enzymes that *initiate* fermentation>

2 : to induct into membership by or as if by special rites

3 : to instruct in the rudiments or principles of something :

INTRODUCE

synonym see **BEGIN**

- ini-ti-a-tor **ⓘ** /- "A-t&ɹ/ **noun**

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